



GENERAL FISH HABITAT PERMIT FH22-I-0050-GP

ISSUED: April 27, 2022
EXPIRES: December 31, 2026

General Public:

RE: Tsirku River Crossing and Boat Launching
Stream No. 115-32-10250-2067
Section 10, T 29S, R 56E, CRM (Skagway B-3)
Location 59.3750 N, 135.9662 W

The river access point on the Tsirku River Road spur (0.7 miles before Chilkat Lake Landing; locally "Sherwood Forest Road") is used for launching boats. Pursuant to AS 16.05.871(b), the Alaska Department of Fish and Game (ADF&G) determined the public interest is served and fish and game are properly protected with the issuance of a General Permit for vehicle crossings and boat launching at this location. Vehicles may transit the Tsirku River gravel bar and river channels and launch boats within the area bounded by red in Figure 1.

Anadromous Fish Act

Stream Number 115-32-10250-2067 has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The water body provides habitat for chum, coho, and sockeye salmon, Dolly Varden char, cutthroat trout, Pacific lamprey, and whitefish. Chum, coho, and sockeye salmon, Dolly Varden char, and cutthroat trout transit this portion of the waterbody to spawn in side channels and tributaries.

In accordance with AS 16.05.871(d), stream crossing and boat launching within the designated area are approved subject to the description above, permit terms, and the following stipulations:

1. Vehicle operations in the river shall be limited to that necessary to safely cross the gravel bar and launch in the most direct manner.
2. Vehicles may not be refueled or serviced below the ordinary high water mark of the river.
3. Equipment leaking fuel, hydraulic fluid, or other pollutants shall not be operated below the ordinary high water mark of the river.
4. The streambed and streambanks shall not be altered or disturbed to facilitate stream crossings.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.05.871. Please be advised that this determination applies only to Habitat Section regulated activities; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other state, federal, or local permits. You are still required to comply with all other applicable laws.

The vehicle owner and operator (permittee), or the legal guardian of minor dependents, is responsible for the actions of contractors, agents, or other persons who participate in the approved activity. Prior to engaging in any activity that significantly deviates from this approval, the responsible party shall notify the Habitat Section and obtain written approval in the form of an individual permit. Any action taken by the permittee or agent of the permittee that increases the activity's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved activity. The final determination as to the significance of any deviation and the need for an individual permit is a Habitat Section responsibility. Therefore, it is recommended that Habitat Section be consulted immediately when a deviation from the approved activity is being considered.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. You shall mitigate any adverse effect upon fish or wildlife, their habitats, or any restriction or interference with public use that the commissioner determines was a direct result of your failure to comply with this permit or any applicable law.

You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

You may appeal this permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330–630 by requesting a hearing under AS 44.62.370.

Please direct questions about this permit to Habitat Biologist Greg Albrecht at (907) 465-6384 or greg.albrecht@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



By: Kate Kanouse
Regional Supervisor

Email cc:

Al Ott, ADF&G Habitat, Fairbanks
ADF&G Habitat Staff, Douglas
Rich Chapell, ADF&G SF, Haines
Nicole Zeiser, ADF&G CF, Haines
Roy Churchwell, ADF&G WC, Douglas
Preston Kroes, DNR ASP, Juneau
Greg Palmieri, DNR DOF, Haines
Ben Soiseth, USACE, Soldotna
Andy Stevens, USFWS, Anchorage
Habitat Conservation Division, NMFS, Juneau
Sgt. Robert Welch, DPS/AWT, Juneau
State Trooper Colin Nemec, DPS AWT, Haines

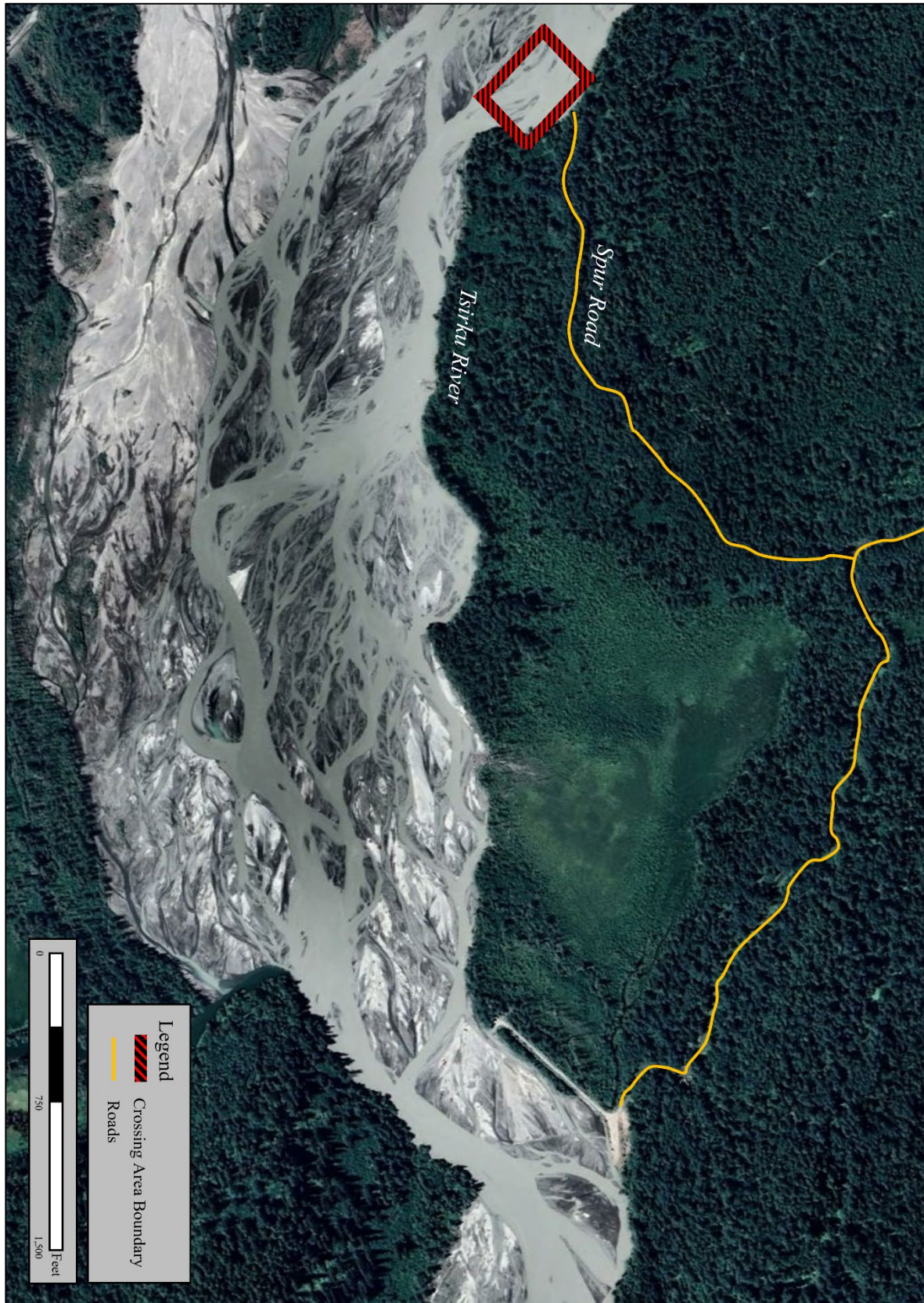


Figure 1.-Crossing and boat launching location map.